

## **REMARKS**

Reconsideration and withdrawal of all grounds of rejection are respectfully requested in view of the above amendments and the following remarks.

1. Claims 1-56 were rejected under 35 U.S.C. 102(b) as being anticipated by Topelberg (U.S. Pub. No. 2003/0214471).

Topelberg does not disclose the following combined features from claims 1 and 43: A display film comprised of stacked layers that are prepared on, cured or dried and lifted from a release surface and then can be transferred to a substrate, or a freestanding film, wherein said stacked layers comprise at least one liquid crystal dispersion layer comprising liquid crystal material dispersed in polymer, a first electrically conductive layer located near one side of said dispersion layer, an electrical insulation layer located between and in contact with said first conductive layer and said dispersion layer, a second electrically conductive layer located near the other side of said dispersion layer, and an electrical insulation layer located between and in contact with said dispersion layer and said second conductive layer. Topelberg does not disclose two electrically insulative layers in contact with a liquid crystal layer as claimed. Instead, an adhesive layer (e.g., layers 40, 42) contacts the liquid crystal layer and is said to be electrically conducting. Nor does Topelberg appreciate that insulative layers are positioned between and in contact with each electrically conductive layer and the liquid crystal layer to insulate against shorts between the conductive layers. Topelberg does not appreciate that for a liquid crystal layer in which the polymer is insufficiently insulating, the display will not be functional without insulating layers as claimed. For these reasons, the claims are not anticipated by Topelberg because it does not disclose all of the claimed features.

An Information Disclosure Statement is submitted herewith. The JP'613 reference cited in the IDS does not disclose or render obvious the claimed invention. It fails to disclose the claimed liquid crystal dispersion layer comprising liquid crystal material dispersed in polymer. In contrast, JP '613 discloses a liquid crystal polymer layer. As the polymer of the liquid crystal solidifies, this cannot be quickly switched at room temperature as in the claimed invention but instead heat is applied to enable switching ("Moreover, because the liquid crystal polymer layer 3 has a high viscosity, and the response speed is slow at room temperature, in such case, when using, temperature bias at the isotropic transition temperature is preferably applied and then an electric field is applied"). The operation of the claimed display film, in which the liquid crystal is dispersed in polymer but is discretely contained by the polymer and itself unpolymerized, is much more efficient than the cumbersome operation of JP '613 which switches the liquid crystal

polymer upon applying heat. In view of this difference, the claimed invention is not disclosed by or obvious in view of JP '613.

U.S. Patent No. 7,072,095 is different from the present invention, *inter alia*, because it does not disclose a liquid crystal dispersion layer and because its electrophoretic microcup layer is prepared on a release layer and lifted from the release layer without two electrically conductive layers and intervening electrically insulative layers that contact the microcup layer (Fig. 3b).

U.S. Pub. No. 2002/0167500 does not disclose or render obvious the claimed invention. This reference does not disclose a display film comprised of stacked layers that are prepared on, cured or dried, and lifted from a release surface and then can be transferred to a substrate, or a freestanding film, as claimed. Although the stack of layers can include a securing mechanism 55, this is not disclosed as a release layer on which the display film is formed and from which it is lifted. Further, the '500 publication does not disclose the combination of at least one liquid crystal dispersion layer comprising liquid crystal material dispersed in polymer, a first electrically conductive layer located near one side of said dispersion layer, an electrical insulation layer located between and in contact with said first conductive layer and said dispersion layer, a second electrically conductive layer located near the other side of said dispersion layer, and an electrical insulation layer located between and in contact with said dispersion layer and said second conductive layer, as claimed.

U.S. Patent No. 6,977,099 does not disclose or suggest the claimed invention. It fails to disclose a display film comprised of stacked layers that are prepared on, cured or dried, and lifted from a release surface and then can be transferred to a substrate, or a freestanding film, wherein said stacked layers comprise at least one liquid crystal dispersion layer comprising liquid crystal material dispersed in polymer as claimed. In the '099 patent polymerizable liquid crystal molecules are used. There is also no disclosure of the stacked layers that are prepared, cured or dried and released from the release surface including a first electrically conductive layer located near one side of said dispersion layer, an electrical insulation layer located between and in contact with said first conductive layer and said dispersion layer, a second electrically conductive layer located near the other side of said dispersion layer, and an electrical insulation layer located between and in contact with said dispersion layer and said second conductive layer, as claimed.

Published U.S. patent application Pub. No. 2006/0066803 is not applicable as a reference under 35 U.S.C. § 102(a) or (e) against claims 1-4, 9, 10, 13, 15, 16, 18, 19, 21-29, 33, 36, 43, 46-48 and 51-59 because provisional application U.S. Ser. No. 60/598,163, on which this

application relies for priority, was filed before the filing date of the '803 publication. That is, Applicants' claimed invention predates that of the '803 publication. Applicants submit that the presently claimed invention as amended is entitled to the priority date of the '163 provisional application. Enclosed is a claim chart showing where each feature of the noted claims is supported by the provisional application. Moreover, the '803 publication does not disclose the features of claims 1 or 43.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. KENT-36969US2.

Respectfully submitted,

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Date: January 5, 2010